

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 98-01173

COUNSEL: NONE

APR 09 1999

HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

1. The award of the Meritorious Service Medal (MSM), for the period 30 June 1993 to 15 September 1995, be reflected on the Officer Selection Brief (OSB) and the citation be placed in his Officer Selection Record (OSR) .
2. He be considered for promotion to the grade of colonel by special selection board (SSB) for the Calendar Year 1997B (CY97B) Central Colonel Selection Board.

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APPLICANT CONTENDS THAT:

The personal data form to correct his current address, office symbol, Air Force Specialty Codes (AFSCs) and MSM award in his official records was submitted in October [REDACTED]. Subsequent annual reviews indicated that his records were corrected--with corrections of all the errors. However, he did not notice the omission of the MSM correction.

In support of his appeal, applicant submits a copy of the orders and citation for the award of the MSM, for the period 30 June [REDACTED] to 15 September [REDACTED], and copies of the Report of Individual Personnel (RIP) dated October [REDACTED], August [REDACTED] and April [REDACTED].

Applicant's submission is attached at Exhibit A.

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STATEMENT OF FACTS:

Applicant is currently serving on extended active duty in the grade of lieutenant colonel.

Applicant was considered for promotion to the grade of colonel by the CY97B [REDACTED] Central Colonel Promotion Board but not selected.

Applicant's Officer Performance Report (OPR) profile, since promotion to the grade of lieutenant colonel, is as follows:

<u>PERIOD ENDING</u>	<u>OVERALL PERFORMANCE</u>
10 Feb 93	Meets Standards
10 Feb 94	Meets Standards
4 Aug 94	Meets Standards
4 Aug 95	Meets Standards
4 Aug 96	Meets Standards
23 Apr 97	Meets Standards
23 Apr 98	Meets Standards

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AIR FORCE EVALUATION:

The Chief, Promotion, Evaluation & Recognition Division, HQ AFPC/DPPP, states that the officer pre-selection brief (OPB) is sent to each eligible officer several months prior to a selection board. The OPB contains data that will appear on the OSB at the central board. Written instructions attached to the OPB specifically instruct the officer to carefully examine the brief for completeness and accuracy. If any errors are found, he/she must take corrective action prior to the selection board, not after it. In the applicant's case, he was first considered below-the-promotion zone (BPZ) for promotion to colonel by the CY95B (10 Oct 95) board. Since the award of the MSM occurred one month prior, it would not have been reflected on the OPB he received for the CY95B board. However, when he received [REDACTED] OPB for [REDACTED] second BPZ consideration by the CY96B (2 Dec 96) colonel board, [REDACTED] should have made note of its absence at that time and taken corrective action to have the MSM filed in [REDACTED] record and have the personnel data system (PDS) updated. The applicant has been provided numerous opportunities to review [REDACTED] personnel data. [REDACTED] has not demonstrated [REDACTED] exercised "reasonable diligence" in ensuring his entire record was correct.

The Personnel Data System (PDS) has now been updated to reflect the MSM and a copy of the citation is now filed in the applicant's OSR. They recommend [REDACTED] request be denied.

A copy of the Air Force evaluation is attached at Exhibit C

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Applicant submitted a response to the Air Force evaluation and states, in part, that his oversight does not mean that he did not carefully examine [REDACTED] officer pre-selection brief for completeness and accuracy. [REDACTED] failure to catch, again, in the OPB for [REDACTED] second BPZ consideration colonels board, of a

correction that he made 11 months prior was an oversight--not an act of exercising less than reasonable diligence.

A copy of the applicant's complete response is attached at Exhibit E.

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THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
2. The application was timely filed.
3. Insufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice. After a thorough review of the evidence of record and applicant's submission, we are not persuaded that the award of the Meritorious Service Medal (MSM), for the period 30 June 1993 to 15 September 1995, should be reflected on [REDACTED] Officer Selection Brief (OSB) and the citation be placed in [REDACTED] Officer Selection Record (OSR) and, that he should be considered for promotion to the grade of colonel by special selection board (SSB) for the Calendar Year 1997B (CY97B) Central Colonel Selection Board. [REDACTED] contentions are duly noted; however, we do not find these assertions, in and by themselves, sufficiently persuasive to override the rationale provided by the Air Force. As stated by HQ AFPC/DPPP, since the award of the MSM occurred one month prior to the CY95B below-the-zone (BPZ) promotion board, it would not have been reflected on the Officer Pre-selection Brief (OPB) the applicant received. However, he should have noted the absence of the MSM for the CY96B BPZ consideration and also for the CY97B in-the-promotion zone (IPZ) and taken corrective action to have the MSM filed in [REDACTED] record. It appears that the applicant has been provided opportunities to review the personnel data and ensure that his record was correct prior to promotion board consideration. We therefore agree with the recommendations of the Air Force and adopt the rationale expressed as the basis for our decision that the applicant has failed to sustain his burden that he has suffered either an error or an injustice. Therefore, we find no compelling basis to recommend granting the relief sought.

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THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of probable material error or injustice; that the application was denied without a personal appearance; and that the application will only be reconsidered

upon the submission of newly discovered relevant evidence not considered with this application.

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The following members of the Board considered this application in Executive Session on 15 December 1998, under the provisions of AFI 36-2603.

Ms. Martha Maust, Panel Chair  
Mr. Frederick R. Beaman 111, Member  
Ms. Patricia D. Vestal, Member

The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 27 Apr 98, w/atchs.
- Exhibit B. Applicant's Officer Selection Record.
- Exhibit C. Letter, HQ AFPC/DPPP, dated 13 May 98.
- Exhibit D. Letter, AFBCMR, dated 26 May 98.
- Exhibit E. Applicant's Letter, dated 4 Jun 98

  
MARTHA MAUST  
Panel Chair



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS AIR FORCE PERSONNEL CENTER  
RANDOLPH AIR FORCE BASE TEXAS

13 MAY 98

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPPP  
550 C Street West, Suite 8  
Randolph AFB TX 78150-4710

SUBJECT: [REDACTED]

Requested Action. The applicant requests reconsideration by the CY97B (8 Dec 97) Colonel Board (P0697B) to include the award of the Meritorious Service Medal (MSM) reflected on his officer selection brief (OSB) and the citation in his officer selection record (OSR).

Basis for Request. The MSM was awarded in Sep 95, and since that time, the applicant has had several records review reports of individual personnel (RIPs) accomplished. He has made other corrections to the data on the RIPs, but had never noticed the absence of the MSM.

Recommendation. Deny.

Facts and Comments.

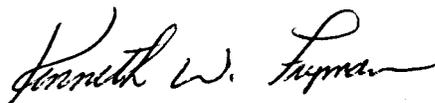
- a. Application is timely filed. A similar application was not submitted under the provisions of AFI 36-2401, Correcting Officer and Enlisted Evaluation Reports, as it would not have been appropriate.
- b. The governing directive is AFI 36-2501, Officer Promotions and Selective Continuation, 1 Mar 96.
- c. The applicant has one nonselection by the P0697B board.
- d. In support of his appeal, the applicant provides copies of four RIPs—Oct 95 (with corrections), Aug 96 (with corrections except the MSM), Apr 98 (with corrections except the MSM), and another copy of the Apr 98 RIP with all corrections made. He states he never noticed the omission of the MSM when he made other corrections to his records.
- e. The officer preselection brief (OPB) is sent to each eligible officer several months prior to a selection board. The OPB contains data that will appear on the OSB at the central board. Written instructions attached to the OPB and given to the officer before the central selection board specifically instruct him/her to **carefully** examine the brief for completeness and accuracy. If any errors are found, he/she must take corrective action **prior** to the selection board, not after it. *The instructions specifically state, "Officers will not be considered by a Special*

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*Selection Board if, in exercising reasonable diligence, the officer should have discovered the error or omission in his/her records and could have taken timely corrective action”* (emphasis added). In the applicant’s case, he was first considered below-the-promotion zone (BPZ) for promotion to colonel by the CY95B (10 Oct 95) board (P0695B). Since the award of the MSM occurred one month prior, it would not have been reflected on the OPB he received for the P0695B board. However, when he received his OPB for his second BPZ consideration by the CY96B (2 Dec 96) colonel board (P0696B), he should have made note of its absence at that time and taken corrective action to have the MSM filed in his record and have the personnel data system (PDS) updated. The applicant has been provided numerous opportunities to review his personnel data; i.e., the RIPs discussed above and three OPBs. Yet, he **has** not demonstrated he exercised “reasonable diligence” in ensuring his **entire** record was correct.

f. **As** a matter **of** note, the PDS has now been updated to reflect the MSM, and a copy of the citation is now filed in the applicant’s officer selection record.

Summary. Based on the evidence provided, we recommend denial.



KENNETH W. FRYMAN, Colonel, **USAF**  
Ch, Promotion, Evaluation & Recognition Div  
Directorate **of** Pers Program Mgt



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